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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/943,223
Filing Date: August 29, 2001
Appellant(s): SAYAL ET AL.

W. Allen Powell Reg. No. 56,743

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/25/2008 appealing from the Office action mailed 11/16/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Workflow Management Coalition "A Common Object Model Discussion Paper", document number WfMC-TC-1022, January 1998, pp. 1-16

Anderson et al. "Workflow Interoperability - Enabling E-Commerce" www.wfmc.org, April 1, 1999, pp 1-11

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over “A common Object Model Discussion Paper”, 1998, Document number WfMC-TC-1022, pages 1-16 (hereinafter ACOMDP), in view of “Workflow Interoperability Enabling E commerce” Anderson et al. April 1, 1999, pages 1-11, www.wfmc.org (hereinafter Anderson).

Per Claim 1:

ACOMDP teaches

- a) receiving a description of a business-to-business interaction standard (ACOMDP, p. 4, section 2. Current Architecture, The initial basis of standardization was to specify the workflow enactment service as a “black box” – effectively a large granularity object with various exposed interfaces through which other software objects can request services. section 2.1, Current Interoperability Models, support interactions between different workflow systems various levels of interoperability model were defined between workflow enactment services – in particular to allow the enactment of a single business process across several different work systems in different departments or organizations”, emphasis added);
- b) converting the description of business-to-business interaction standard to a structured representation of the business-to-business interaction (ACOMDP, p. 7, section Assessing Interoperability, The WfMC Interoperability Standards are designed to allow users of workflow products to implement processes that flow across organizational and technological barriers. p. 9, section Summary, The WfMC interoperability Specification is an Industry Standard

- agreed by all the major workflow vendors. ... The Interoperability Standard enables provision of automated business processes that span many organizations to operate integrated supply chains);
- c) at least one process template based on the structured representation of the business-to-business interaction standard (ACOMDP, p. 7, paragraph 2, lines 4-7, WorkActivities (process templates) that represent the process steps as defined in the underlying process model...A WorkActivity can be implemented by another WorkProcess. also, p. 13, last two paragraphs, Note that the workflow process activity entity includes any required activity “work script” (i.e. identifying the relationship between the activity, work-items, participants and applications); ... Certain important characteristics of the workflow process activity object...An activity work script relates Applications / Participants and work items. Two scenarios are identified: Sequential work-items – the work items are created sequentially and all assigned to the same resource set (i.e. a common participant set), Parallel work items – the work items are created and assigned to the participant set for parallel process...); Process templates, according to appellant, are skeletons of workflows that can be reused and extended in order to implement a B2B interaction standard. The skeleton defines the conversational logic according to the protocol defined by a particular B2B interaction standard. The process templates contain, for example, nodes, flows, and data items to generate the complete process (see Appellants' Specification p. 19, lines 31-35 through p. 20, lines 1-15). Here, a WorkActivity is implemented/generated base on preordained process definition, interoperability standard/definition and defines the conversational logic for a business process between different organizations (B2B), thus a WorkActivity read on the limitation a process/service template.

ACOMDP does not explicitly teach

- c) automatically generating (at least one process template based on the structured representation of the business-to-business interaction standard); and
- d) using the process template to design a workflow.

However, Anderson teaches

- c) automatically generating (at least one process template based on the structured representation of the business-to-business interaction standard) (Anderson, p.3, paragraph 3, the workflow engine reads the appropriate process definition and starts the first defined *activity* which, in the case of the retailer, may be to display an order form for completion), Here, the defined activity (WorkActivity/template) is generated base on preordained process definition, interoperability standard/definition (see Anderson, p. 2, section What is Workflow Interoperability, and p. 7, section Assessing Interoperability). A defined activity defines the conversational logic for a business process between different organizations (B2B), thus the combination of MCOMDP and Anderson teaches automatically generating at lease one work activity (template) read on the limitations in the present claim; and
- d) using the process template to design a workflow (Anderson, p3, paragraph 3, Each new process that is started on a workflow engine is known as a process instance. A process instance is a defined thread of activity that is being enacted (managed) by a workflow engine).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by ACOMDP to include b) converting the description of business-to-business interaction standard to a structured representation of the business-to-business interaction; c) automatically generating at least one process template based on the structured representation of the business-to-business interaction standard; and d) using the process template to design a workflow using the teaching of Anderson. The modification

would be obvious because one of ordinary skill in the art would be motivated to implement value chains that operate across and between organizations and promote this capability through the use of Standards (Anderson, p. 1, lines 1-5).

Per Claim 2:

The rejection of claim 1 is incorporated, and Anderson further teaches the description of an electronic business-to-business interaction standard includes a description of one of RosettaNet, CBL, EDI, OBI, and cXML (Anderson, p. 2, paragraph 1, lines 2, electronic Document Interchange (EDI) has provided a reliable messaging regime to support inter-trading between consenting organizations for some time).

Per Claim 3:

The rejection of claim 1 is incorporated, and Anderson further teaches includes for each state, defining all incoming transitions and all outgoing transitions; and for each transition, defining a source state and a target state (Anderson, Figures 1-2, p. 2-3, Section Supply Chain Management, p. 3 paragraph 1, The scenario describes the life history of an order fulfillment for a product (lets say a new sofa) from a retailer (lets say a mail order company) which places orders with manufacturers rather than holding stock. The retailer must therefore make arrangements with the manufacturer to produce the goods (a new sofa) and with a transport company to deliver the goods to the customer).

Per Claim 4:

The rejection of claim 1 is incorporated, and ACOMDP further teaches includes representing data in a structured form by employing a mark-up language (ACOMDP, p. 9, section 3.2 Internet-centric Workflow, 2. ...form of standardized representation of the operational business process instance is required...note that XML may also have role to play in this area).

Per Claim 5:

The rejection of claim 1 is incorporated, and ACOMDP further teaches includes structured data and structured data flow (ACOMCDP, for example, p. 13, see Figure, section 5.2 The Process Definition Model, lines 5-9, work has concentrated on defining a meta-model which identifies the core process definition entities, relationships and attributes pus a neutral interchange representation of the process definition).

Per Claim 6:

The rejection of claim 1 is incorporated, and ACOMDP further teaches includes at least one XML document ACOMDP, p. 9, section 3.2 Internet-centric Workflow, 2. ...form of standardized representation of the operational business process instance is required...note that XML may also have role to play in this area).

Per Claim 7:

The rejection of claim 1 is incorporated, and ACOMDP further teaches includes automatically converting the structured data and flow into at least one process template that is specific to a particular workflow management system (ACOMDP, p. 13, section 5.2 The Process Definition Model, lines 8-9, the WAPI interface includes APIs to retrieve, delete and add entities and get/set attributes using the entities and attributes defined in the meta-model... This simple representation of the meta-model identifies the top level objects and relationships).

Per Claim 8:

The rejection of claim 1 is incorporated, and ACOMDP further teaches includes storing the process templates into a process template repository (ACOMDP, p. 13, see Figure shows The Workflow Process Activity in the meta-model; Section 5.2 The Process Definition Model, The local format within which process definition data is held by a workflow manager or process repository; also, see p. 15, Figure shows Process Repository in Workflow Manager operations); wherein the process templates are accessible to a workflow designer (ACOMDP, p. 3, section 1.1 Background, line 15, WAPI Specification—

Workflow APIs for access to common workflow services from client application); and storing the service templates into a service template repository (ACOMDP, p. 12, see Figure, section 5.1, lines 3-6, In current WfMC interface specifications a workflow service is essentially a black box object supporting various interfaces supporting particular methods on lower granularity objects It has also proved necessary to conceptualise the contents of a process definition as an object set"); wherein the service templates are accessible to a workflow designer ACOMDP, p. 3, section 1.1 Background, line 15, WAPI Specification—Workflow APIs for access to common workflow services from client application).

Per Claim 9:

The rejection of claim 1 is incorporated, and ACOMDP further teaches includes retrieving a process template from the process template repository; and adding at least one local service to the process template (ACOMDP, p. 13, section 5.2 The Process Definition Model, lines 8-9, the WAPI interface includes APIs to retrieve, delete and add entities and get/set attributes using the entities and attributes defined in the meta-model).

Per Claim 10:

The rejection of claim 1 is incorporated, and ACOMDP further teaches includes designing a process that includes a plurality of local services (ACOMDP, p. 4, section 2.1.1, Hierarchic / Chained Sub Processes, lines 3-5, Essentially this provides the ability of enact a local sub-process whose process definition is local to the domain); and adding at least one interaction point service to the process (ACOMDP, p. 5, see Figure, lines 1-4, the process is ...control further transferred to another sub-process in a different domain (chained model)).

Per Claim 11:

ACOMDP teaches

- a) receiving a high-level process definition (ACOMDP, p.13, see Figure, receiving workflow Process Definition);

- b) converting the high-level process definition into a structured data and flow (ACOMDP, p. 13, see Figure, section 5.2, The Process Definition Model; lines 5-9, work has concentrated on defining a meta-model which identifies the core process definition entities, relationships and attributes plus a neutral interchange representation of the process definition);
- a business-to-business service template ((ACOMDP, p. 7, paragraph 2, lines 4-7, WorkActivities that represent the process steps as defined in the underlying process model...A WorkActivity can be implemented by another WorkProcess. also, p. 13, last two paragraphs, Note that the workflow process activity entity includes any required activity "work script" (i.e. identifying the relationship between the activity, work-items, participants and applications); ... Certain important characteristics of the workflow process activity object...An activity work script relates Applications / Participants and work items. Two scenarios are identified: Sequential work-items – the work items are created sequentially and all assigned to the same resource set (i.e. a common participant set), Parallel work items – the work items are created and assigned to the participant set for parallel process...).

ACOMDP does not explicitly teach

- c) automatically extracting at least one business-to-business (B2B) interaction point; and
- d) generating (a business-to-business (B2B) service template) for the extracted interaction point.

However, Anderson teaches

- c) automatically extracting at least one business-to-business (B2B) interaction point (Anderson, p.5, paragraph, there will need to be a commercial agreement in place between each pair of companies that inter-trade in the value chain. The companies will also have established a technical agreement (an interoperability contract) describing the way in which

interoperability is to be effected. The technical agreement will cover aspects such as... for each workflow definition identified in the contract: values that must be supplied or can be returned for each traded (shared) element of workflow relevant data access rights (whether the element is readable/writable) value constraints (minimum/maximum values, number of permitted updates/accesses) outcomes/outputs/returned elements of workflow relevant data...); and

- d) generating a business-to-business (B2B) service template for the extracted interaction point (Anderson, p.3, paragraph 3, the workflow engine reads the appropriate process definition and starts the first defined *activity* which, in the case of the retailer, may be to display an order form for completion, here, defined activity read on the limitation process template).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by ACOMDP to include b) converting the description of business-to-business interaction standard to a structured representation of the business-to-business interaction; c) automatically generating at least one process template based on the structured representation of the business-to-business interaction standard; and d) using the process template to design a workflow using the teaching of Anderson. The modification would be obvious because one of ordinary skill in the art would be motivated to implement value chains that operate across and between organizations and promote this capability through the use of Standards (Anderson, p. 1, lines 1-5).

Per Claim 12:

The rejection of claim 1 is incorporated, and Anderson further teaches automatically extracting a plurality of business-to-business (B2B) interaction points (Anderson, p.5, paragraph, there will need to be a commercial agreement in place between each pair of companies that inter-trade in the value chain. The

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companies will also have established a technical agreement (an interoperability contract) describing the way in which interoperability is to be effected. The technical agreement will cover aspects such as... for each workflow definition identified in the contract: values that must be supplied or can be returned for each traded (shared) element of workflow relevant data access rights (whether the element is readable/writable) value constraints (minimum/maximum values, number of permitted updates/accesses) outcomes/outputs/returned elements of workflow relevant data...); and generating a business-to-business (B2B) service template for each extracted interaction point (Anderson, p.3, paragraph 3, the workflow engine reads the appropriate process definition and starts the first defined *activity* which, in the case of the retailer, may be to display an order form for completion, here, defined activity read on the limitation process template).

Per Claims 13-16:

These are other versions of the claimed method discussed above (claims 2-6), where in all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Per Claims 17-18:

These system versions of the claimed method discussed above (claims 1 and 8), where in all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

(10) Response to Argument

Appellants argued:

ACOMDP fails to even mention *receiving a business-to-business interaction standard* (Appeal Brief (hereinafter Brief), p. 7, lines 9-10); ACOMDP does not teach the *business-to-business interaction standard*, as recited in claim 1, much less receiving less receiving a description of such a standard (Brief, p. 8, lines 16-17).

Examiner response:

ACOMDP does teach receiving a description of a business-to-business interaction standard (ACOMDP, p. 4, section 2. Current Architecture, The initial basis of standardization was to specify the workflow enactment service ...; section 2.1, Current Interoperability Models, support interactions between different workflow systems various levels of interoperability model were defined between workflow enactment services – in particular to allow the enactment of a single business process across several different work systems in different departments or organizations”). Here ACOMDP teaches initial basis of standardization to specify the workflow enactment service that allow business processes across several different work systems in different departments or organization (B2B) read on the limitation “*receiving a description of a business-to-business interaction*”.

Appellants argued:

ACOMDP fails to disclose “*converting the description of business-to-business interaction standard to a structured representation of the business-to-business interaction standard*,” as recited in claim 1 (Brief, p. 9, lines 1-3). Further, as discussed throughout the prosecution history, Anderson is also deficient in this regard. Accordingly, whether consider separately or in a hypothetical combination, the cited references fail to disclose all of the recited features of claim. Likewise, the cited references fail to disclose “*converting the high-level process definition into a structured data and flow*,” or “*a structured*

process definition generator ... for generating a structured business-to-business process definition," as recited in claims 11 and 17, respectively (Brief, p. 9, last paragraph, lines 9-13 through p. 10, lines 1-2) .

Examiner response:

ACOMDP does disclose *converting the description of business-to-business interaction standard to a structured representation of the business-to-business interaction standard* (ACOMDP, p. 7, section Assessing Interoperability, The WfMC Interoperability Standards are designed to allow users of workflow products to implement processes that flow across organizational and technological barriers. p. 9, section Summary, The WfMC interoperability Specification is an Industry Standard agreed by all the major workflow vendors. ... The Interoperability Standard enables provision of automated business processes that span many organizations to operate integrated supply chains); moreover, Anderson also teaches a structure representation of the business-to-business interaction (Anderson, p.5, paragraph 5, ... there will need to be a commercial agreement in place between each pair of companies that inter-trade in the value chain. The companies will also have established a technical agreement (an interoperability contract) describing the way in which interoperability is to be effected. The technical agreement will cover aspects such as... for each workflow definition identified in the contract: values that must be supplied or can be returned for each traded (shared) element of workflow relevant data access rights (whether the element is readable/writable) value constraints (minimum/maximum values, number of permitted updates/accesses) outcomes/outputs/returned elements of workflow relevant data...).

Here, the combination of ACOMDP and Anderson teaches converting the description of B2B interaction standard (commercial agreement in place between each pair of companies) to a structured representation of the B2B interaction standard /process definition (WfMC Interoperability Standards) as recite in claims 1 and 17 of the present application.

Moreover, the combination of ACOMDP and Anderson teaches *converting the high-level process definition into a structured data and flow* (see ACOMDP, p. 13, see Figure, section 5.2, The Process Definition Model; lines 5-9, work has concentrated on defining a meta-model which identifies the core process definition entities, relationships and attributes plus a neutral interchange representation of the

process definition). ACOMDP's Figure in page 13, is the best example to read on the subject matter *converting the high-level process definition into a structured data and flow* as recited in claim 11 of the present application.

Appellants argued:

ACOMDP and Anderson, whether considered separately or in hypothetical combination, fail to disclose "automatically generating at least one *process template* based on the structured representation of the business-to-business interaction standard," as recited in claim 1 (Brief, p.10, lines 3-6). Likewise, Appellants assert that the cited references fail to disclose "generating a business-to business (B2B) *service template* for the extracted interaction point," or "a process template generator for automatically generating a business-to-business *process template* base on a structured business-to-business process definition," as recited in claims 11 and 17, respectively.

Examiner response:

The combination of ACOMDP and Anderson, does disclose automatically generating at least one process template based on the structured representation of the business-to-business interaction standard (ACOMDP, p. 7, paragraph 2, lines 4-7, WorkActivities (process/service templates) that represent the process steps as defined in the underlying process model...A WorkActivity can be implemented by another WorkProcess. also, p. 13, last two paragraphs, Note that the workflow process activity entity includes any required activity "work script" (i.e. identifying the relationship between the activity, work-items, participants and applications); ... Certain important characteristics of the workflow process activity object...An activity work script relates Applications / Participants and work items. Two scenarios are identified: Sequential work-items – the work items are created sequentially and all assigned to the same resource set (i.e. a common participant set), Parallel work items – the work items are created and assigned to the participant set for parallel process...; and Anderson, p.3, paragraph 3, the workflow engine reads the appropriate process definition and starts the first defined *activity* which, in the case of the retailer, may be to display an order form for completion). Process templates, according to appellant,

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are skeletons of workflows that can be reused and extended in order to implement a B2B interaction standard. The skeleton defines the conversational logic according to the protocol defined by a particular B2B interaction standard. The process templates contain, for example, nodes, flows, and data items to generate the complete process (see Appellants' Specification p. 19, lines 31-35 through p. 20, lines 1-15). Here, the defined activity is generated base on preordained process definition, interoperability standard/definition (see Anderson, p. 2, section What is Workflow Interoperability, and p. 7, section Assessing Interoperability). A defined activity defines the conversational logic for a business process between different organizations (B2B), thus a work activity (WrokActivity) read on the limitation a process/service template.

Appellants argued:

ACOMDP and Anderson references, whether considered separately or in a hypothetical combination, also fail to disclose *"using the process template to design a work flow,"* as recited in claim 1 (Brief, p. 11, lines 2-3).

Examiner response:

The combination of ACOMDP and Anderson does disclose using the process template to design a workflow (Anderson, p3, paragraph 3, Each new process that is started on a workflow engine is known as a process instance. A process instance is a defined thread of activity that is being enacted (managed) by a workflow engine. Here, as an activity is a template, a process instance of a defined thread of activity that read on limitation of *"using the process template to design a workflow"*.

Appellant argued:

The cited references are deficient with respect to the recitation in claim 17 of *"a process template repository for storing the business-to-business process templates."* (Brief, p.11, last paragraph, lines 1-3).

Examiner response:

The combination of ACOMDP and Anderson does disclose a process template repository for storing the business-to-business process templates (ACOMDP, p. 13, see Figure shows The Workflow Process Activity in the meta-model; Section 5.2 The Process Definition Model, The local format within which process definition data is held by a workflow manager or process repository; also, see p. 15, Figure, item Process Repository in Workflow Manager operations). Thus, the meta-model, and the process repository read on the limitation of a process template repository for storing the process templates.

Appellants argued:

Anderson do not appear to relate to the recitations of claims 3 and 14 corresponding to defining transitions for each state and defining states for each transition (Brief, p. 12, first paragraph, lines 6-7).

Examiner response:

Anderson teaches defining all incoming transitions and all outgoing transitions; and for each transition, defining a source state and a target state (Anderson, Figures 1-2, p. 2-3, Section Supply Chain Management, p. 3 paragraph 1, The scenario describes the life history of an order fulfillment for a product (lets say a new sofa) from a retailer (lets say a mail order company) which places orders with manufacturers rather than holding stock. The retailer must therefore make arrangements with the manufacturer to produce the goods (a new sofa) and with a transport company to deliver the goods to the customer).

Appellants argued:

The cited references certainly fail to disclose “automatically converting the structured data and flow into at least one process template that is specific to a particular workflow management system” as recited in claim 7 (Brief, p. 12, paragraph 2, lines 4-6).

Examiner response:

ACOMDP teaches automatically converting the structured data and flow into at least one process template that is specific to a particular workflow management system (ACOMDP, p. 13, see Figure, section 5.2 The Process Definition Model, the WAPI interface includes APIs to retrieve, delete and add entities and get/set attributes using the entities and attributes defined in the meta-model... This simple representation of the meta-model identifies the top level objects and relationships...Note that the workflow process activity entity includes any required activity "work script" (i.e. identifying the relationship between the activity, work-items, participants and applications). Here, the APIs retrieve, delete and add entities and get/set attributes using the entities and attributes defined in the meta-model to define the workflow process activity read on the limitations in claim 7.

Appellants argued:

The cited references are deficient with respect to the recitation of "storing template into a process template repository...and storing the service templates into a service template repository," as recited in claim 8, and "a service template repository," as recited in claim 18 (Brief, p. 12, paragraph 3, lines 4-7).

Examiner response:

ACOMDP does teach storing process/service template into a process/service template repository (ACOMDP, p. 13, see Figure shows The Workflow Process Activity in the meta-model; Section 5.2 The Process Definition Model, The local format within which process definition data is held by a workflow manager or process repository; also, see p. 15, Figure, item Process Repository in Workflow Manager operations). Thus, the meta-model, and the process repository read on the limitation of a process/service template repository for storing the process/service templates.

Appellants argued:

With regard to dependent claim 12, Appellants assert that the cited references fail to disclose "automatically extracting a plurality of business-to-business (B2B) interaction points; and generating a

business-to-business (B2B) service template for each extracted interaction point.” (Brief, p.12, last paragraph, lines 1-4).

Examiner response:

Anderson teaches automatically extracting a plurality of business-to-business (B2B) interaction points (Anderson, p.5, paragraph, there will need to be a commercial agreement in place between each pair of companies that inter-trade in the value chain. The companies will also have established a technical agreement (an interoperability contract) describing the way in which interoperability is to be effected. The technical agreement will cover aspects such as... for each workflow definition identified in the contract: values that must be supplied or can be returned for each traded (shared) element of workflow relevant data access rights (whether the element is readable/writable) value constraints (minimum/maximum values, number of permitted updates/accesses) outcomes/outputs/returned elements of workflow relevant data...); and generating a business-to-business (B2B) service template for each extracted interaction point (Anderson, p.3, paragraph 3, the workflow engine reads the appropriate process definition and starts the first defined *activity* which, in the case of the retailer, may be to display an order form for completion). Here, Anderson teaches a commercial agreement in place between each pair of companies that inter-trade in the value chain, further, the workflow engine reads the appropriate process definition and starts a defined activity that read on the limitations in claim 12 of the present application.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Anna Deng/

Examiner, Art Unit 2191

Anna Deng

Conferees:

Wei Y. Zhen

/Wei Zhen/

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